

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|---------------------------------------|---|---------------------|
| ----- | x | |
| LINDA RYLOTT-ROONEY, | : | |
| | : | |
| Plaintiff, | : | 07 Civ. 11091 (JSR) |
| | : | |
| -v- | : | <u>ORDER</u> |
| | : | |
| ALITALIA-LINEE AEREE ITALIANE-SOCIETA | : | |
| PER AZIONI, | : | |
| | : | |
| Defendant. | : | |
| ----- | x | |

JED S. RAKOFF, U.S.D.J.

Defendant Alitalia-Linee Aeree Italiane - Societa Per Azioni moves to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted. As plaintiff Linda Rylott-Rooney has consented to withdraw Counts Two, Four, and Five of the Complaint, those counts are hereby dismissed. As to the remaining counts, the motion is denied.

An opinion setting forth the reasons for this ruling will follow in due course.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
March 7, 2008

